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The Honorable S. Kate Vaughan

DEC 21 2022

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

NO. MJ22-594

Plaintiff,

COMPLAINT FOR VIOLATIONS:  
18 U.S.C. § 2422(b).  
18 U.S.C. § 2251(a), (e)

V.

CLAYTON HARKER,

Defendant.

BEFORE, the Honorable S. Kate Vaughan, United States Magistrate Judge, U.S. Courthouse, Seattle, Washington.

**COUNT 1**  
**(Attempted Enticement of a Minor)**

Between in or about November 2022 and in or about December 2022, , in Whatcom County, within the Western District of Washington, and elsewhere, CLAYTON HARKER used a means and facility of interstate and foreign commerce to attempt to knowingly persuade, induce, entice, and coerce an individual who had not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense—to include, RCW 9A.44.073 (Rape of a Child in the First Degree) and the production of child pornography as defined in 18 U.S.C. § 2256(8).

All in violation of Title 18, United States Code, Sections 2422(b), 2427

**COUNT 2**  
**(Attempted Production of Child Pornography)**

Between in or about November 2022 and in or about December 2022, , in Whatcom County, within the Western District of Washington, and elsewhere, CLAYTON HARKER attempted to employ, use, persuade, induce, entice, and coerce a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and transmitting any live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means or facility of interstate and foreign commerce, such visual depiction was transported and transmitted using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and such visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 2251(a), (e).

And the complainant states that this Complaint is based on the following information:

I, Special Agent Krystle Mendoza, being duly sworn under oath, depose and say:

## INTRODUCTION

1. I am a Special Agent (SA) with the U.S. Department of Homeland Security, Homeland Security Investigations (HSI), assigned to the Assistant Special Agent in Charge (ASAC) Blaine, Washington, field office. I have been employed as an HSI Special Agent since 2019. I am currently assigned to the child exploitation unit in the HSI office in Ferndale, WA. I am a law enforcement officer of the United States, within the meaning of Title 18, United States Code, who is empowered by law to conduct investigations of, and to make arrests for offenses enumerated in Title 18, United States Code. Prior to this, I worked with the Canada Border Services Agency from 2003 to 2018.

2. In my capacity as a Special Agent, I am responsible for conducting investigations into the numerous federal laws enforced by HSI. I am a graduate of the

1     Federal Law Enforcement Training Center (FLETC), Criminal Investigator Training  
 2     Program as well as HSI Special Agent Training Program. During that training, I learned  
 3     how to conduct child exploitation investigations. Since then, I have been involved in  
 4     many child exploitation investigations and have assisted federal and state partners during  
 5     their investigations. As such, I have become familiar with ways that child pornography is  
 6     shared, distributed, and/or produced, including the use of various social media websites  
 7     (Facebook, Twitter, Kik, Snap Chat, Discord, etc.), “cloud” based storage, and peer-to-  
 8     peer (P2P) networks. Often, individuals involved in child exploitation will collect or  
 9     store images and/or videos on various media devices they keep at their residences, or in  
 10    offsite locations such as “cloud” based storage. I have also become familiar with jargon  
 11    or slang terms that people involved in child exploitation will use to discuss their  
 12    activities.

13       3.     My training included courses in law enforcement techniques, federal  
 14    criminal statutes, conducting criminal investigations, and the execution of search  
 15    warrants. I have participated in the execution of several search warrants which involved  
 16    child exploitation and/or child pornography offenses and the search and seizure of  
 17    computers and other digital devices. I have observed and reviewed numerous examples  
 18    of child pornography in various forms of media, including media stored on digital media  
 19    storage devices such as computers, tablets, cellphones, etc.

20       4.     I am a member of the Internet Crimes Against Children (ICAC) Task Force  
 21    in the Western District of Washington, and work with other federal, state, and local law  
 22    enforcement personnel in the investigation and prosecution of criminal violations relating  
 23    to child exploitation and child pornography, including violations pertaining to the  
 24    unlawful production, importation, distribution, receipt, attempted receipt, and possession  
 25    of child pornography and material involving the sexual exploitation of minors in violation  
 26    of 18 United States Code §§ 2251, 2252(a), and 2252A(a)(4)(B), 2422, 2243(a)(1).

27       5.     The facts set forth in this Complaint are based on my own personal  
 28    knowledge; knowledge obtained from other individuals during my participation in this

1 investigation, including other law enforcement officers; review of documents and records  
 2 related to this investigation; communications with others who have personal knowledge  
 3 of the events and circumstances described herein; and information gained through my  
 4 training and experience. I have not set forth all facts known to me as a result of this  
 5 investigation but only those facts I believe necessary to establish probable cause to  
 6 conclude that CLAYTON HARKER committed the offenses charged in this Complaint.

7 **SUMMARY OF THE INVESTIGATION**

8 6. In November 2022, I received a request from the Homeland Security  
 9 Investigations (HSI) Portland, Oregon office, SA Clinton Lindsly, to assist in a child  
 10 exploitation investigation involving an individual using a specific Snapchat account (the  
 11 SUBJECT USER). That user has been identified as CLAYTON HARKER.

12 7. On November 4, 2022, the Honorable Jolie A. Russo, United States  
 13 Magistrate Judge, District of Oregon, authorized a search warrant for content and other  
 14 records for a Snapchat user identified to be residing in Virginia (the "VIRGINIA  
 15 SNAPCHAT USER.")

16 8. On November 8, 2022, Snapchat responded and provided records to the  
 17 above search warrant via their law enforcement portal. These records were downloaded  
 18 by SA Lindsly and comprise approximately nine gigabytes of data. The records included  
 19 media files, chat communications, IP records, subscriber information, and other records.

20 9. During a preliminary review of the records, SA Lindsly found thousands of  
 21 media files (photographs and videos) that depicted sexually explicit content involving  
 22 females, most of whom appeared to be under the age of 18. These files appeared to have  
 23 been sent and/or received by the VIRGINIA SNAPCHAT USER.

24 10. The records also included the content of chats between the VIRGINIA  
 25 SNAPCHAT USER. and hundreds of other Snapchat users. SA Lindsly reviewed several  
 26 of these chats and noted a reoccurring theme in the message content. The VIRGINIA  
 27 SNAPCHAT USER was soliciting suspected underage females for sexually explicit  
 28 content in exchange for money, purporting to represent a modeling agency. In some

1 instances, the VIRGINIA SNAPCHAT USER appeared to extort the minors to obtain  
2 additional imagery.

3       11. Due to the sheer volume of records, a significant amount of time will be  
4 required to fully review and analyze the data. However, during the preliminary review  
5 SA Lindsly identified chat messages between the VIRGINIA SNAPCHAT USER and  
6 another Snapchat user, the SUBJECT USER. The chat logs span June 29, 2022, through  
7 October 27, 2022, and included hundreds of messages between the VIRGINIA  
8 SNAPCHAT USER and the SUBJECT USER. The chats focused on the sexual  
9 exploitation of children and included discussions about sharing child pornography,  
10 selling child pornography, collecting child pornography, how to groom children to have  
11 them produce child pornography, the sexual trafficking of children, and raping children.  
12 The SUBJECT USER said repeatedly that he wanted to rape a child and even offered the  
13 VIRGINIA SNAPCHAT USER \$1,000 to rape his seven-year-old niece, to which the  
14 VIRGINIA SNAPCHAT USER agreed. The SUBJECT USER also said that he is a  
15 collector of child pornography, that he has received child pornography, described in  
16 detail child pornography he was viewing, and that he distributed child pornography. The  
17 following messages are a sample of the messages sent by the SUBJECT USER to the  
18 VIRGINIA SNAPCHAT USER:

19 **June 30, 2022:**

20       • Ages 8 to 14 is my preference I. Age range  
21       • Will u include some 8 and 10 year olds in the folder?  
22       • Okay. What about the sexy 7 year old, the first minor u sent me? I must have more  
23        of her  
24       • Have any videos of the children getting fucked by men?

25 **July 1, 2022:**

26       • My child porn addiction is bad  
27       • I love producing child porn. I just d t have access to children.  
28       • Know any girls in Washington state?

29 **July 3, 2022:**

30       • Have a video of 3 men on one toddler? One in each hole?  
31       • Know any toddlers that I could rape?

July 4, 2022;

- I'm genuinely excited to see a cute toddler getting raped.

October 10, 2022:

- I'm excited to rape a child

12. On November 10, 2022, after reviewing the above chats, SA Lindsly “cold” messaged the SUBJECT USER using an undercover Snapchat account (UC 1) to attempt to discuss the sexual exploitation of children and identify the SUBJECT USER. SA Lindsly’s online persona included having a three-year-old child and an eight-year-old niece. The SUBJECT USER told SA Lindsly that his name was “Clayton,” and that he resided in Bellingham (Washington).

13. The SUBJECT USER also expressed a strong desire to meet and have sex with SA Lindsly's fictitious daughter and/or niece. The SUBJECT USER said he could travel to Oregon to meet them. The SUBJECT USER offered explicit details about the various acts of sexual abuse he would commit against this young girl and asked if he could take pictures during the sexual encounter.

14. On November 22, 2022, the SUBJECT USER messaged an undercover Snapchat account that I control (UC2). Using this account, I purported to be the eight-year-old girl HARKER hoped to meet and sexually abuse.

15. In the weeks that followed, the SUBJECT USER expressed a strong desire to meet and sexually abuse the person he believed was an eight-year-old girl.

16. Below is a representative sample of the chats between HARKER and the two UC personas. (As noted above, UC1 purported to be an adult male with an eight-year-old niece; UC2 purported to be that niece.).

November 23, 2022:

SUBJECT USER:

sent photo of himself (PHOTO 1)

that's me

I want to show you my penis  
Badly

1 UC 2: Ok...Ive only sen daddy's and unkle Js before  
2 SUBJECT USER: may I show you mine?  
3  
4 UC 2: Sur if you want  
5 To  
6 SUBJECT USER: well I'm touching it now  
7 Makes it hard  
8 SUBJECT USER: I'm gonna send a photo soon  
9 Sent a photo of a males penis with a green/blue  
10 bedsheets in the background and a brown freckle  
11 on the right hand side of the shaft of the penis.  
12 UC 2: Unkle j toihis his kock  
13 SUBJECT USER: I touch my cock too. Do you like my cock?  
14 UC 2: it big  
15 SUBJECT USER: Lik lolypop  
16 UC 2: Thanks! I'd love to have your mouth on it  
17 SUBJECT USER: yum  
18 UC 2: I'm excited  
19 SUBJECT USER: Wanna put it in your puss?  
20 UC 2: I bett that wud feal good  
21 SUBJECT USER: yes  
22 November 29, 2022: Would you want that?  
23 SUBJECT USER: I don't have sex a lot though  
24 Hardly ever  
25 I'm excited to see you naked  
26 Me and your uncle may both fuck your holes  
27 UC 2: Sorry  
28 unkle J and I have fun  
Why sorry??

1 SUBJECT USER: I'm not sure  
2 I hope you and I have fun  
3 Would you rub your feet on my penis?  
4 **November 30, 2022:**  
5 SUBJECT USER: I'd like to gangbang you. Me your uncle and  
6 UC 2: Daddy let u?  
7 SUBJECT USER: Idk  
8 At least me and your uncle  
9 UC 2: Pllllllease  
10 SUBJECT USER: I'm excited to fuck your holes. Use you like a  
11 UC 2: fuck doll.  
12 SUBJECT USER: I lik dollys  
13 I excited  
14 SUBJECT USER: Me too. I'm gonna fuck you so hard and deep. I  
15 wanna make you moan.  
16 Can I hear your voice? I can sens u a voice  
17 message if u like  
18 UC 2: My mommy is wit me cleanen my rom I sic  
19 SUBJECT USER: I like when little girls like to get used as a sex toy.  
20 I'm gonna slam my cock in your pussy as hard as  
21 I can  
22 UC 2: And fuck you like a pornstar  
23 SUBJECT USER: a pornstar?  
24 SUBJECT USER: What is it  
25 **December 10, 2022:**  
26 SUBJECT USER: (sent a photo of his penis. The same brown  
27 freckle is noticeable on this picture).  
28 UC 2: I'm super excited to meet you and take photos  
of you naked  
Do you have any friends that like sex too?  
I don talk aboot it so don't no

1                   **December 14, 2022:**

2                   UC 1:

3                   SUBJECT USER:

4                   UC 1:

5                   SUBJECT USER:

6                   UC 1:

7                   SUBJECT USER:

8                   **December 15, 2022:**

9                   SUBJECT USER:

10                  UC 1:

11                  SUBJECT USER:

I gotta head to Vancouver to see my aunt, shes not doing well and could use a emotional boost Rach is gonna come with me

Vancouver NBC? Bc

we gonna leave Vancouver on the 20<sup>th</sup> and can stop in Bellingham if you want to play in our hotel or we are going to push down to seattle

Do I meet you in the parking lot?

would u want to meet her alone or with me?

I could just leave her in a room for u and give you some special alone time

Sure

I'd like to meet you before I fuck her

I'm excited to fuck her. I'd be down to rub our cocks together too

I'm getting lube today

anybody that got 8yo puss would say that it shouldnt be against the law

I agree. Raping toddlers should be done for recreation.

I got lube

17                  **December 16, 2022:**

18                  SUBJECT USER:

19                  UC 2:

I'm excited to see your feet and pussy  
I'll send you a photo of the lube I got later  
I'll need some photos of my penis in your pussy.

And I want you to rub your feet on my cock

Why pics

Unkle J take the pics

23                  **December 17, 2022:**

24                  SUBJECT USER:

25                  UC 2:

26                  SUBJECT USER:

I'd like to start slow. Just maybe talk for a few minutes. I'm not super great at talking to kids. And I'm super nervous about doing it with you.

Hi. I nervus to

Itll be okay. I haven't talked to a child in a long time.

Want to be my girlfriend?

1 SUBJECT USER: Oh. No I had a girlfriend years ago  
2 UC 2: Never had one as young as you  
3 SUBJECT USER: You are 8?  
4 Yeah  
5 **December 20, 2022:** Wow. Yeah I have never had an 8 year  
6 SUBJECT USER: old girlfriend  
7 UC 2: Hey  
8 SUBJECT USER: So much snow here  
9 UC 2: Lot of snow here to  
10 SUBJECT USER: I so xcited to met u  
11 UC 2: I know. I'm excited and nervous.  
12 SUBJECT USER: I hope you like me  
13 UC 2: Don be sily  
14 SUBJECT USER: Of corse I like u  
15 UC 2: I want to eat your pussy  
16 SUBJECT USER: And lay pipe in you  
17 UC 2: I'm going to need my penis in your mouth  
18 SUBJECT USER: If I get too aggressive let me know  
19 UC 2: Wil u be gentl like unkle J  
20 SUBJECT USER: Yes. I'll do my best to do so  
21 UC 2: I'm going to cum in you  
22 SUBJECT USER: Want to do some naked modeling for me?  
23 UC 2: I could do that  
24 SUBJECT USER: Yes  
25 UC 2: Awesome I'll have my camera.  
26 SUBJECT USER: I'll need a photo of you spreading your pussy  
27 UC 2: I haven't rubbed my cock on an 8 year olds feet  
28 SUBJECT USER: in so long.  
UC 2: First girl I'll really be able to have good sex  
with  
Of course we cuddle  
I'll need photos of you naked and having sex  
with me  
I'm excited to have sex with you  
I hope my cock can fit in your pussy  
we leav soon in 10  
Ok (kiss)  
Okay. Just message me when u are at the hotel.  
After I'm in the room. And we are are  
snuggling I'll give you my number.  
Xcited

1 SUBJECT USER: Byeeeeesee eu soon  
2 Dont forget to message me love bug  
3 SUBEJCT USER: We have like 7 inches of snow  
4 Maybe more. Snowed all night long  
5 I'm not the most comfortable driving in snow.  
6 I also don't have chains  
7 I'd like you to call me Jason when we interact  
8 in person  
9 ok we should be landing soon. Can u meet at  
10 330:?  
11 SUBJECT USER: My roommate has the only 4 wheels drive car.  
12 So I have to wait for wait for vhf to get home.  
13 Around 3:30  
14 UC 1: sweet. That will work out nice  
15 Give me time to feed her before you stuff her  
16 good  
17 SUBJECT USER: No problem. I'll shower too  
18 How's this gonna work my man?  
19 ill send u the address in a few minutes  
20 What kind of car u gonna be driving?  
21 A dark colored SUV. You?  
22 im at the holiday inn and suites by the airport  
23 4260 mitchell way  
24 Dark hynudi SUV Oregon plate #xjl338  
25 It's a santa fe dark blue  
26 We just checking in so we good  
27 Let me know when on the way  
28

17. The SUBJECT USER agreed to meet with UC 1 and UC2 on December 20,  
18 2022, at a hotel in Bellingham, Washington.

18. That afternoon, surveilling law enforcement saw HARKER leave his home  
19 in Bellingham in a beige Toyota Rav 4. Surveilling law enforcement then saw HARKER  
20 drive directly from his home to the hotel. At approximately 3:58 p.m. surveilling law  
21 enforcement watched HARKER get out of his car carrying a black bag and head toward  
22 the back door of the hotel. Federal agents approached HARKER and identified  
23 themselves as law enforcement, detaining HARKER. After being advised of his  
24  
25  
26  
27  
28

1 constitutional rights, HARKER agreed to be interviewed. He provided the following  
2 information during this recorded interview:

- 3 • He is the SUBJECT USER who communicated with UC1 and UC2 via Snapchat.
- 4 • He purchased lubricant and brought it with him to use during the assault of the  
5 eight-year-old girl.
- 6 • He brought a black camera bag with a Cyber shot camera and multiple memory  
7 cards that he intended to use to film the sexual abuse of this child.
- 8 • He intended to have both oral and vaginal sexual intercourse with this young girl.
- 9 • He also brought a ski mask to obscure his face while recording his rape of this  
10 child.
- 11 • He has extorted “a lot” of minors he believed to be between the ages of 11 and 14,  
12 threatening to pose sexually explicit imagery of those minors online to coerce  
13 them into creating additional sexually explicit imagery for him.
- 14 • He has a sexualized interest in children and has viewed and distributed child  
15 pornography.
- 16 • He is sexually attracted to minors ranging from infants and toddlers to minors in  
17 their early teens.
- 18 • He regularly gratifies himself while viewing child pornography.
- 19 • When he sees children in public, he will later gratify himself while fantasizing  
20 about sexually abusing them.

21 19. Had HARKER engaged in the sexual acts described above with an eight-  
22 year-old girl, he would have violated RCW 9A.44.073 (Rape of a Child in the First  
23 Degree).

## CONCLUSION

20. Based on the above facts, I respectfully submit that there is probable cause to believe that CLAYTON HARKER committed the offenses charged in this Complaint.

K. Mendoza  
KRYSTLE MENDOZA, Affiant  
Special Agent, HSI

SUBSCRIBED and SWORN to before me this 21st day of December, 2022.

S. Kate Vaughan  
S. KATE VAUGHAN  
United States Magistrate Judge